

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: Angeline Forte) Case Number: 05-93307-B
) Chapter 13 Proceedings
) Judge Randolph Baxter
) Debtor.

TRUSTEE'S MOTION FOR TURNOVER OF FUNDS

Now comes **CRAIG SHOPNECK**, the duly appointed, qualified, and standing Chapter 13 Trustee ("Trustee") herein, hereby moves for an order directing that funds be turned over by Central Collection Agency ("Claimant") to Trustee. In support of this motion, Trustee hereby makes the following representations to the Court:

1. Debtor ("Debtor") filed a voluntary petition under Chapter 13 of Title 11, U.S.C. on October 14, 2005. Debtor filed a proposed Chapter 13 Plan (the "Plan") pursuant to Section 1321 of the Bankruptcy Code on October 15, 2005. On February 3, 2006, the Court entered the Order Confirming the amended Chapter 13 Plan.
2. On March 13, 2006, Claimant filed an unsecured priority proof of claim in the amount of \$334.10. This claim was amended on March 31, 2006 reducing the claim to the amount of \$321.54. In error, the claim was entered in the Trustee's system twice resulting in an overpayment of \$300.05.
3. Trustee sent a letter to Claimant dated March 3, 2009, detailing the circumstances regarding the claim entry and requested that the funds distributed to Claimant in the amount of \$300.05 be remitted to Trustee. Trustee's office has made contact with Claimant and was advised on several occasions that our office would receive the refund. As of the date of this motion, Trustee has not received the refund.

WHEREFORE, your Trustee, being a proper party in interest, hereby moves this Honorable court to grant the Trustee's Motion for Turnover of Funds for the reasons cited.

/S/ Craig Shopneck

CRAIG SHOPNECK (#0009552)

Chapter 13 Trustee

200 Public Square, BP Tower Suite 3860

Cleveland, OH 44114-2321

Phone (216) 621-4268 Fax (216) 621-4806

Ch13shopneck@ch13cleve.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Trustee's Motion for Turnover of Funds was served electronically and/or by regular U.S. mail, postage prepaid, this 8th day of May 2009, upon the following persons:

Jason T. Baker, Attorney for Debtor
(Via Electronic Mail)

Angeline Forte, Debtor
11805 Cromwell Avenue
Cleveland, OH 44120

Central Collection Agency
Attn: Cynthia Kooser – Chief of Accounts & Collections
205 West Saint Clair Avenue
Cleveland, OH 44113
(served via regular U.S. mail and Certified Mail)

Central Collection Agency
Attn: William Gareau – Assistant Director of Law
205 West Saint Clair Avenue
Cleveland, OH 44113
(served via regular U.S. mail and Certified Mail)

/S/ Craig Shopneck

CRAIG SHOPNECK (#0009552)

CS/rlc
5/8/09